

Brian Loncar Explains Personal Injury Cases and the Road to Recovery

Written by Australian Business

DALLAS, TX, September 27, 2013 **/24-7PressRelease/** -- Brian Loncar, founder of Loncar & Associates, a personal injury practice in Texas, understands that the first step in any automobile or personal injury lawsuit is to avoid one in the first place. This is not a perfect world, however, and if and when an accident happens, people need to prepare themselves for recovering as much as they can from an incident.

"The first thing we're concerned with is making sure you recover from an injury," attorney Brian Loncar says. "Depending on the damages, this step can take as long as two to even six months. Once the victim of an injury -- or the family -- is prepared, he or she needs to file an insurance claim. The company will try to settle the case, but this isn't even close to the last step in the process."

According to an [article](#) published by a California-based law firm, the first thing a victim needs to do is hire a law firm. The maximum time between the accident and the filing of a lawsuit is inflicted by a particular state's statute of limitations. Some states have up to two years, and others are shorter. Regardless of the time frame, victims of personal injury should start looking for the right law firm once they are in a healthy state of recovery. Next, the law firm typically conducts its own investigation by obtaining the police accident report and interviewing any eyewitnesses. A lawsuit is filed if the victim and law firm believe any defense settlements are less than adequate.

The defendant is served, and paperwork is filed. This process usually takes one to two months from the day a lawsuit is officially filed. The defendant is often able to request additional time from when they were served to respond, and this may add a few additional weeks to the process. Next, written questions are sent out to both parties in the dispute. They are in-depth, and each side enlists the help of attorneys. This process takes approximately 35 days depending on the state. The defense will often request a medical examination of the victim at this time for use in court.

Cases then move on to oral depositions. In this stage, lawyers from either side of the dispute interview witnesses, the defendant, and the victim. Depositions are not as formal as court testimonies, though they are still an important step in the process. If a case is not settled out of court, expert witnesses are brought in by either side for further investigation. Expert witnesses are disclosed and provide oral depositions as well.

"If the case has not been successfully negotiated at this point, a mediation expert (sometimes a retired judge) is brought in for out of court discussions," Brian Loncar says. "These neutral parties try to mutually settle a case outside of the courtroom."

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Not all mediations are successful. The trial period takes the longest amount of time, though simple cases can last only one session. The final step is the disbursement of recovery funds. Brian Loncar says the process can take up to two years, which is why it is important for people to understand the process in the first place.

ABOUT:

Personal injury lawyer Brian Loncar founded Loncar & Associates in 1988. The firm takes on cases throughout Texas and represents approximately 7,000 clients every year. The litigation firm specializes in car crashes, DWI accidents, and other injuries.